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EXAMINER

WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/603,389

Applicant(s)

NEYMAN ET AL.

Examiner

Steven R. Wasylchak

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-33,35-46 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33,35-46 and 48-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-33,35-46 and new claims 48-50 are pending; claims 34 and 47 are cancelled.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 37-46, 48-50 are rejected under 35 U.S.C. 102e as being anticipated by Jain et al (US 6,343,278).

Art Unit: 3624

As per claim 37,

An anonymous trading system for trading instruments between traders, comprising:

- a plurality of order input devices; / fig 5; **col 1, L 17-38 (anonymous)**
- a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in execution deals where orders are matched; / fig 5; col 11, L 59-66; col 13, L 4-7; **col 2, L 29-44; col 3, L 31-48;**
- market distribution means for distributing price messages to order input devices and an interface with a trading floor or order input devices; and / fig 1, 5; col 11, L 59-66
- means for matching and executing joint executing orders comprising a plurality of orders linked together; wherein all of said linked orders are executed together or rejected./ fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7, L 19-27

As per claim 38,

An anonymous trading system according to claim 37, wherein said means for matching and executing joint execution orders includes means for converting a simple order for a first transaction type input from a order input device into a joint execution order for a second and third transaction type./ abstract; fig 1, 4; col 2, L 14-**43**; col 3, L 31-48; col 6, L 17-34; col 8, L 55 to col 9, L 20

As per claim 39,

An anonymous trading system according to claim 38, wherein said first transaction type is currency pair having first and second currencies, said second transaction type is a second currency pair comprising said first currency and a third currency and the third

Art Unit: 3624

transaction type is a third currency pair comprising said second currency and said third currency. / fig 1, 5; col 4, L 39-49; col 6, L 60-63; col 14, L 45-59

As per claim 40,

An anonymous trading system according to claim 37, wherein the means for matching joint execution orders comprises, at the broker, means for matching each order of the compound order and, if less than all of the orders can be matched, for rejecting the joint execution order. / **col 1, L 11-17, 47-54, 66 to col 2, L 4; col 2, L 14-18;** col 3, L 31-48; col 11, L 18-35; col 11, L 59-66; col 12, L 43-51; col 13, L 28-31

As per claim 41,

An anonymous trading system according to claim 37, wherein the joint execution orders are invisible hits./ col 8, L 55 to col 9, L 13

As per claim 42,

An anonymous trading system according to claim 41, wherein the joint execution orders are persistent whereby- the broker stores one or more orders of the joint execution order that cannot be matched immediately for a given time and attempts to match the stored orders with quotes subsequently entered into the system and passed to the broker./ abstract; col 2, L 14-23, L 30-44; **col 1, L 39-64**

As per claim 43,

An anonymous trading system according to claim 37, wherein the means for matching and executing joint execution orders comprises means for sending to the broker a message instructing a joint execution order./ fig 1, 5; **col 2, L 14-44**

As per claim 44,

Art Unit: 3624

An anonymous trading system according to claim 37, wherein the means for matching and executing joint execution orders comprises means for receiving from the broker a message indicating that each of said orders comprising said joint execution order is executable and means for completing the joint execution order only when all orders in the joint execution order are executable./ fig 1, 5; **col 1, L47-64; col 2, L 14-44**

As per claim 45,

An anonymous trading system according to claim 44, wherein an order is executable only after a credit check has been completed on a counterpart./ col 1, L 17-39; col 12, L 65 to col 13, L 3; col 13, L 28-31, 42-52; **col 1, L 17-46; col 2, L 14-24**

As per claim 46,

An anonymous trading system according to claim 44, wherein the means for matching and executing joint execution orders comprises means for adjusting the volume of each of the orders to correspond to the volume of the smallest executable order of the joint execution order. / abstract; col 1, L 39-64; col 2, L 14-64; col 13, L 4-7, L 19-27.

**(volume is inherent in trade or orders)**

As per claim 48,

(New) An anonymous trading system for trading instruments between traders; comprising:

a plurality of order input devices; / fig 1,5

a network of brokers, each broker comprising a

Art Unit: 3624

matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched, and market distribution means for distributing price messages to order input devices;/ **col 1, L 11-17, 47-54, 66 to col 2, L 4; col 2, L 14-18; col 3, L 31-48; col 11, L 18-35; col 11, L 59-66; col 12, L 43-51; col 13, L 28-31**

a plurality of trading agents, each trading agent being connected to a broker and providing an interface between a trading floor of said order input devices and the broker to which the trading agent is connected, wherein;/ **fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61**

at least one of said plurality of trading agents and the broker to which it is connected include means for matching and executing joint execution orders comprising a plurality of orders linked together, wherein all of said linked orders

Art Unit: 3624

must be either executed together or rejected together./ fig 4, 5; col 3, L 31-48;  
col 11, L 59-66; col 13, L 4-7, L 19-27

As per claim 49,

(New) An anonymous trading system for trading synthesized currency pairs between traders comprising;

a plurality of order input devices;/ fig 1,5

a network of matching engines, each matching engine matching bid and offer orders entered into the system and assisting in the execution of deals where bid and offer orders have been matched;/ fig 5; col 11, L 59-66; col 13, L 4-7; col 2, L 29-44; col 3, L 31-48

market distribution means for disturbing information relating to bid and offer orders in the system to the order input devices;/ fig 1, 5; col 11, L 59-66

a plurality of trading agents, each of said plurality of trading agents being connected to one of the network of matching engines and providing an interface between a trading floor and said plurality of order input devices and the matching engine to which the trading agent is connected;/ fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61

means for synthesizing bid and offer orders for transactions between a pair of currencies having a first currency and a second currency from bid and offer orders entered into the system for transactions between a currency pair comprising the first currency and a third currency and bid and offer orders



Art Unit: 3624

entered into the system for transactions between a currency pair comprising the second currency and the third currency;/ fig 1, 5; col 4, L 39-49; col 6, L 60-63; col 14, L 45-49

joint execution orders comprising a plurality of orders linked together wherein all of said linked orders must be either executed together or rejected together, and wherein;/ fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7, L 19-27

the trading agents further include means for converting a bid or offer order in said synthetic currency pair into a joint execution order comprising an order in each of said currency pair comprising the first and third currency and said currency pair comprising the second and third currency./ fig 1, 5; col 4, L 39-49; col 6, L 60-63; col 14, L 45-59

As per claim 50,

(New) An anonymous trading system for trading instruments between traders, comprising:

a plurality of order input devices;/ fig 1,5

a network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched;/ fig 1, 5

col 1, L 29-44; col 2, L 14-44

market distribution means for distributing price messages to order input devices and an interface with a trading floor or order input devices; and/ fig 1, 5; col 11, L 59-66

Art Unit: 3624

wherein all of said linked orders must be either executed together or rejected together/ fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7, L 19-27

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Art Unit: 3624

5. Claims 1-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Togher et al (US 5,375,055) and in view of Jain et al (US 6,343,278). As per claim 1,

An anonymous reading system for trading fungible instruments between traders; comprising

Art Unit: 3624

-a communications network for transmitting electronic messages

/ abstract; fig 1,5

-a plurality of order input devices connected to the communications network each for generating electronic order messages including bid and/or offer orders and "for communication to a trader of price information received from others of said plurality of trader terminals over the network; / fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61

-at least one matching engine connected to the network for matching orders input into the system from the order input devices and for assisting in executing deals where prices are matched; / fig 1, 5; col 5, L 47-54

-market distribution means connected to the network for distributing price messages to the trader terminals, the market distribution means being responsive to the price messages and the matching engine; / fig 1, 5

Art Unit: 3624

- a plurality of order input device interface means, each order input device interface means having order input devices representing at least one trading floor connected thereto for communication of electronic order messages to the at least one matching engine and for communication of price messages and deal information messages to the connected trader terminals; (fig 1, 5; col 3, L 8-11).

-Togher teaches the order input device interface means and the matching engine further comprise means matching (fig 1, 5; col 3, L 8-11). However, Togher does not teach executing a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected. Jain et al does teach executing a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected.( fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7; L 19-27). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market liquidity and flexibility in terms of potential market participants.

As per claim 2,

An anonymous trading system according to claim 1 wherein the means for executing a plurality of linked orders comprises means at the matching engine for matching each of the orders comprising the plurality of linked orders, and means for rejecting the linked orders if less than all the orders comprising the linked order are matched. / fig 1, 5; col 3, L 39-44; col 16: claim 7

As per claim 3,

Art Unit: 3624

An anonymous trading system according to claims 1 wherein the electronic order messages are invisible hit orders. / col 3, L 52-59; col 9, L 15-21

As per claim 4,

An anonymous trading system according to claim 3 wherein the hit orders are persistent. / col 3, L 52-59; col 9, L 15-21

As per claim 5,

An anonymous trading system according to claim 1, comprising a plurality of matching engines, said plurality of matching engines including a taker matching engine connected to the order input device interface means to which the order input device submitting the linked order is connected, wherein the means for matching each of the orders comprising the plurality of linked orders is located at the taker matching engine. / fig 1, 5; col 3, L 60-66

As per claim 6,

An anonymous trading system according to claim 1, wherein the means for matching and executing a plurality of linked orders comprises means for generating and sending to the matching engine an instruction to match and execute a plurality of linked orders. / fig 1,5; col 3, L 60-66

As per claim 7,

An anonymous trading system according to claim 6, wherein the means for generating and sending to the matching engine an instruction to match and execute a plurality of linked orders includes means for identifying each of the orders to be matched and means for indicating that the orders are linked. / fig 1,5; col 3, L 60-66



Art Unit: 3624

As per claim 8,

An anonymous trading system according to claim 1, wherein the means for changing and executing a plurality of linked orders comprises, at the order input device interface means to which an order input device submitting a linked orders connected, means for receiving a message from the matching engine indicating that an order is executable and means for completing each of the orders comprising the plurality of linked orders when executable order messages have been received for each of the linked orders. / fig

1, 5; **col 3, L 60-66**

As per claim 9,

An anonymous trading system according to claim 8, wherein the means for receiving executable order messages and for completing each order comprises mean for adjusting the amount of one or more of said plurality of orders. /fig 1,5; col 4, L 1-7

As per claim 10,

An anonymous trading system according to claim 8, wherein the means for completing each of the orders comprising the plurality of linked orders comprises means for simultaneously completing each of the linked orders. / fig 1,5; col 3, L 22-44; **60-66**

As per claim 11,

An anonymous trading system according to claim 1, wherein the order input device interface means comprises means for converting a single order message input from a connected order input device into a plurality of linked orders. / fig 1,5; col 3, L 34-39; **60-66**

Art Unit: 3624

As per claim 12,

An anonymous trading system according to claim 11,  
where-in the single order message input from a connected order input device comprises an order for a trade between a first and second currency pair and the order input device interface means converts the order into an order for a trade between: the second and a third currency pair and linked order for a trade between the first and the third currency pairs. / fig, 1, 5; col 4, L 34-39; col 6, L 60-63

As per claim 13,

An anonymous trading system according to claim 1, comprising at least one broking node, each broking node comprising one of said at least one matching engines and a market distribution means. / fig 1, 5

As per claim 14,

An anonymous trading system according to claim 13, comprising a plurality of said broking nodes. / fig 1, 5

As per claim 15,

An anonymous trading system for trading instruments between traders; comprising:

- a plurality of order input devices; / fig 1,5

- A network of brokers, each broker comprising a matching engine for matching bids and offers entered into the system and for assisting in executing deals where orders are matched, and market distribution means for distributing price messages to order input devices; / fig 1, 5

Art Unit: 3624

-a plurality of trading agents, each trading agent being connected to a broker and providing an interface between a trading floor of said order input devices and the broker to which the trading agent is connected, wherein; / fig 1, 5

-Togher teaches at least one of said plurality of trading agents and the broker to which it is connected (fig 1, 5; col 3, L 8-11). However, Togher does not teach means or matching and executing joint execution orders comprising a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected. Jain et al teaches means or matching and executing joint execution orders comprising a plurality of orders linked together, wherein all of said linked orders are either executed together or rejected. / fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7, L 19-27.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market liquidity and flexibility in terms of potential market participants.

As per claim 16,

An anonymous trading system according to claim 15, wherein each of said plurality of brokers and connected trading agents comprise said means for matching and executing joint execution orders. / fig 1, 5; col 3, L 34-39

As per claim 17,

An anonymous trading system according to claim 16, wherein said means for matching and executing joint execution orders includes, at each trading agent, means

Art Unit: 3624

for converting a simple order for a first transaction type input from a order input device connected to the trading agent into a joint execution order for a second and third transaction type. / fig 1, 5; col 4, L 11-20

As per claim 18,

An anonymous trading system according to claim 17,  
-wherein said first transaction type is a currency pair having first and second currencies, said second transaction type is a second currency pair comprising said first currency and a third currency and the third transaction type is a third currency pair comprising said second currency and said third currency. / fig 1, 5; col 4, L 39-49; col 6, L 60-63

As per claim 19,

An anonymous trading system according to claim 15,  
wherein the means for matching joint execution orders comprises, at the broker, means for matching each order of the compound order and, if less than all of the orders can be matched, for rejecting the joint execution order. / fig 1, 5; col 3, L 39-44; col 16: claim 7

As per claim 20,

An anonymous trading system according to claim 15,  
wherein the joint execution orders are invisible hits. / col 3, L 52-59; col 9, L 15-21

As per claim 21,

An anonymous trading system according to claim 20,  
wherein the joint execution orders are persistent whereby the broker stores one or more orders of the joint execution order that cannot be matched immediately for a given time

and attempts to match the stored orders with quotes subsequently entered into the system and passed to the broker. / col 3, L 52-59; col 9, L 15-21

As per claim 22,

An anonymous trading system according to claim 15,  
wherein the means for matching and executing joint execution orders comprises means at the trading agent for sending to the broker a message instructing a joint execution order. / fig 1, 2; claim 6

As per claim 23,

An anonymous trading system according to claim 15,  
wherein Togher teaches the means for matching and executing joint execution orders comprises means at the trading agent for receiving from the broker a message indicating that each of said orders comprising said joint execution order is executable and (fig 1, 5; col 3, L 8-11). / fig 1,5; col 3, L 8-11. Togher fails to teach the feature means for completing the joint execution order only when all orders in the joint execution order are executable. Jain et al teaches the means for completing the joint execution order only when all orders in the joint execution order are executable. / abstract; col 1, L 39-46; col 2, L 14-28; col 13, L 4-7, L 19-27

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market liquidity and flexibility in terms of potential market participants.

As per claim 24,

An anonymous trading system according to claim 23,

Art Unit: 3624

wherein an order is executable only after the trading agent has completed a credit check on the counterpart. / col 1, L 29-48; col 2, L 3-11, 22-31

As per claim 25,

An anonymous trading system according to claim 23,  
wherein the means for matching and executing joint execution orders comprises means for adjusting the volume of each of the orders to correspond to the volume of the smallest executable order of the joint execution order. / claim 19

As per claim 26,

An anonymous trading system for trading instruments  
between traders, comprising:

- a plurality of order input devices; / abstract; fig 1, 5
- a network of matching engines for matching orders comprising bids and offers and for assisting in executing deals where orders are matched; / fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61
- a plurality of market distribution means for distributing bid and offer information to trader terminals, the market distribution means being responsive to the matching engine and to bids and offers entered into the system; / fig 1,5
- a plurality of trading agents, each trading agent being connected to one of said plurality of matching engines and providing an interface between a trading floor comprising a number of said order input devices, and the matching engine to which the trading agent is connected; wherein: / fig 1, 5; col 5, L 47-54

Art Unit: 3624

-Togher teaches at least one of said plurality of trading agents and the matching engine to which it is connected comprise means for matching and executing joint execution orders ( fig 1,5). Togher does not teach comprising a plurality of linked orders, and include means for rejecting a joint execution order if less than all the plurality of linked orders are executable. However, Jain et al teaches comprising a plurality of linked orders, and include means for rejecting a joint execution order if less than all the plurality of linked orders are executable. /col 3, L 31-48; col 11, L 18-35; col 11, L 59-66; col 12, L 43-51; col 13, L 28-31

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market liquidity and flexibility in terms of potential market participants.

As per claim 27,

An anonymous trading system according to claim 28, wherein Togher teaches said means for executing joint execution orders (col 3, L 22-44). Togher does not teach means for reducing the volume of each of the orders of the plurality of linked orders to the volume of, or in proportion to the volume of, the smallest executable order. Jain et al teaches means for reducing the volume of each of the orders of the plurality of linked orders to the volume of, or in proportion to the volume of, the smallest executable order. / abstract; col 1, L 39-46; col 2, L 14-28; col 13, L 4-7, L 19-27.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market

Art Unit: 3624

liquidity and flexibility in terms of potential market participants.

As per claim 28,

An anonymous trading system according to claim 20,  
wherein each of said plurality of matching engines and connected trading agents  
comprise said means for matching and executing joint execution orders. / fig 1, 2; col 3,  
L 34-44

As per claim 29,

An anonymous trading system according to claim 28,  
wherein said means for matching and executing joint execution orders includes, at each  
of said plurality of trading agents, means for converting a simple order for a first  
transaction type input from a trader terminal connected to the trading agent into a joint  
execution order for a second and third transaction type. / fig 1, 5; col 4, L 11-20

As per claim 30,

An anonymous trading system according to claim 29,  
having first and second currencies, said second transaction type is a second currency  
pair comprising said first currency and a third currency and the third transaction type is  
a third currency pair comprising said second currency and said third currency. / fig, 1,  
5; col 4, L 34-39; col 6, L 60-63

As per claim 31,

An anonymous trading system for trading synthesized currency pairs between traders  
comprising:



Art Unit: 3624

-a plurality of order input devices; / abstract; fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61

-a network of matching engines, each matching engine matching bid and offer orders entered into the system and assisting in the execution of deals where bid and offer orders have been matched; market distribution means for distributing information "relating to bid and offer orders in the a system to the trader terminals; / fig 1, 5; col 5, L 47-54

-a plurality of trading agents, each of said plurality of trading agents being connected to one of the network of matching engines and providing an interface between a trading floor of said plurality of quote input devices and the matching engine to which the trading agent is connected; / fig 1, 5; col 1, L 23-29; col 3, L 34-44; col 5, L 46-54; col 6, L 36-61

- means for synthesizing bid and offer orders for transactions between a pair of currencies having a first currency and a second currency from bid and offer orders entered into the system for transactions between a currency pair comprising the first currency and a third currency and bid and offer orders entered into the system for transactions between a currency pair comprising the second currency and the third currency; / fig 1, 5; col 4, L 39-49; col 6, L 60-63; col 14, L 45-49

-Togher teaches means at the matching engines and the trading agents connected thereto for matching and executing joint execution orders (col 3, L 1-11, L 60-66).

Togher does not teach comprising a plurality of orders linked together wherein all of said linked orders are either executed together or rejected. However, Jain et al

Art Unit: 3624

teaches comprising a plurality of orders linked together wherein all of said linked orders are either executed together or rejected. / fig 4, 5; col 3, L 31-48; col 11, L 59-66; col 13, L 4-7, L 19-27

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of providing greater market liquidity and flexibility in terms of potential market participants.

- the trading agents further include means for converting a bid or offer order in said synthetic currency pair into a joint execution order comprising a order in each of said currency pair comprising the first and third currency and said currency pair comprising the second and third currency / fig 1, 5; col 4, L 39-49; col 6, L 60-63; col 14, L 45-59

As per claim 32,

An anonymous trading system according to claim 32,  
wherein said bid or offer order in said synthetic currency pair is an invisible order. /  
abstract; fig 1, 5; claim 3

As per claim 33,

An anonymous trading system according to claim 32,  
wherein said bid or offer order in said synthetic currency pair is a persistent order. /  
abstract; fig 1, 5; col 14, L 45-49; claim 4

5. Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain et al (US 6,343,278) and in view of Hawkins et al (US 6,247,000).

As per claim 35,

Art Unit: 3624

An anonymous trading system for trading instruments between traders, the system comprising:

- a communications network; / Jain et al: fig 5; col 1, L 17-39
- a plurality of order input devices coupled to the communications network, each order input device effective to communicate with a respective trader and to generate electronic order messages in response thereto; and / fig 5
- at least one broker terminal coupled to a plurality of the order input devices, the broker terminal effective to execute deals between the traders; / fig 5
- wherein the broker terminal is effective to receive a first order from a first one of the order input devices, a second order from a second one of the order input devices, and the broker terminal performs only one of: / fig 5
- Jain et al teaches groups of orders (col 2, L 14-23). Jain et al does not teach the execution of both the first and second order, and rejects both the first and second order. However, Hawkins et al teaches the execution of both the first and second order, and rejects both the first and second order. (col 26, L 54-61: AON). It would have been obvious to one of ordinary skill in the art to implement this feature for the advantage of using hits to maximize market execution efficiency.

As per claim 36,

the anonymous trading system as recited in claim 35, wherein:

- the first order is a trade between first and second currency; and the second order is a trade between second and third currency; whereby a synthesized trade is effected between the first and third currency./ col 1, L 17-39; col 2, L 14-23; col 6, L 17-34

Application/Control Number: 09/603389

Art Unit: 3624

This action is NON-FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R.

Wasylichak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylichak



10/22/03



GEOFFREY R. AKERS, P.E.  
PRIMARY EXAMINER